

Appl. No. 09/733,824
Amdt. Dated October 6, 2005
Reply to Office Action of April 26, 2005

AMENDMENTS TO THE DRAWINGS:

The attached sheets of drawings include changes to Figs. 1, 4, and 5. These sheets replace the original sheets including Figs. 1, 4, and 5.

Attachment: Replacement Sheet Fig. 1

Replacement Sheet Fig. 4

Replacement Sheet Fig. 5

Illegible Drawing Fig. 1

Illegible Drawing Fig. 4

Illegible Drawing Fig. 5

REMARKS

The Examiner has objected to the drawings on the grounds that they fail to show text labels of the parts or features as described in the specification. Applicants have included a proposed drawing correction incorporates these text labels. Accordingly, Applicants have supplied corrected drawing sheets in compliance with 37 CFR 1.121(d).

Applicants respectfully request reconsideration of the prior art rejection set forth by the Examiner under 35 U.S.C. §102. Applicants respectfully submit that the prior art reference of record fails to either teach or suggest Applicants presently claimed invention. More specifically, Applicants note that according to the presently claimed invention, a method for purchasing, audio and/or video data files presented in a video broadcast is disclosed. In accordance with the embodiments of the invention, the user signals the set top box of the viewing system that they have interest in downloading the audio and/or video data file being offered in a video broadcast.

To more specifically define the claimed invention, Applicants have modified the claims to reflect that the desired audio or video data is offered in a video broadcast and that a viewer signals the system to order the offered audio or video data during the video broadcast. This is advantageous over present systems that merely allow a viewer to order the program they are viewing.

Ellis et al., U.S. Publication No. 2003/0149988, is directed to an interactive program guide ("IPG") that displays program listings and allows users to select programs for recording on a remote or local media server. See Abstract. Ellis et al. discloses providing the user with the opportunity to record programs on demand at a remote media server or local media server or to review listings that have either been recorded or selected for recording. See Page 11, ¶ 133. More specifically, the viewer may either select a program listing from the IPG for recording or indicate a desire to record a program on demand by pressing a record key on the remote control while watching a program. Page 11, ¶ 133. In contrast, the present invention allows a user to order audio or video data which is offered in a video broadcast not the broadcast itself. Specifically, it allows a user to signal the set-op box that he or she wishes to order the audio or video data that is offered in the broadcast. For example, the Applicants' disclosure provides that while watching a music video, from, for example, MTV, where a guitarist is playing a song, the user may use the remote to select a file, such as a Moving Picture Experts Group-1 Audio Layer-3 (MP3) audio file. This is stark contrast to Ellis et al. which discloses that a viewer may select to record the broadcast, i.e. the music video, at a remote server.

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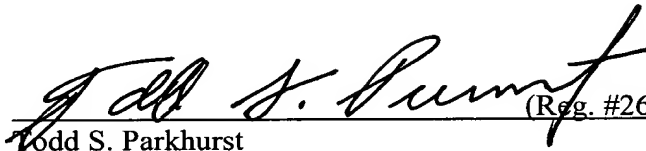
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The prior art reference neither teaches nor suggests the presently claimed invention. Accordingly, Applicants respectfully request that the Examiner now withdraw the rejections and allow all claims in the application.

Respectfully submitted,

Date:

Sept 20, 2005


(Reg. #26,494)

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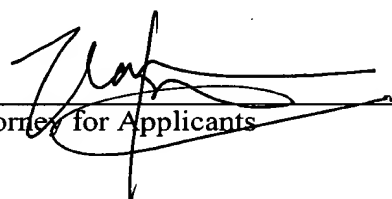
Attorney for Applicant

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CERTIFICATE OF MAILING

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Attorney for Applicants

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ANNOTATED

SHEET

DOWNLOADING AND TRANSFER OF AUDIO AND/OR VIDEO DATA FROM VIDEO BROADCASTS

Inventors: Leonid Gurevich et al.

Serial No. 09/733,824

Holland & Knight LLP - (312) 263-3600

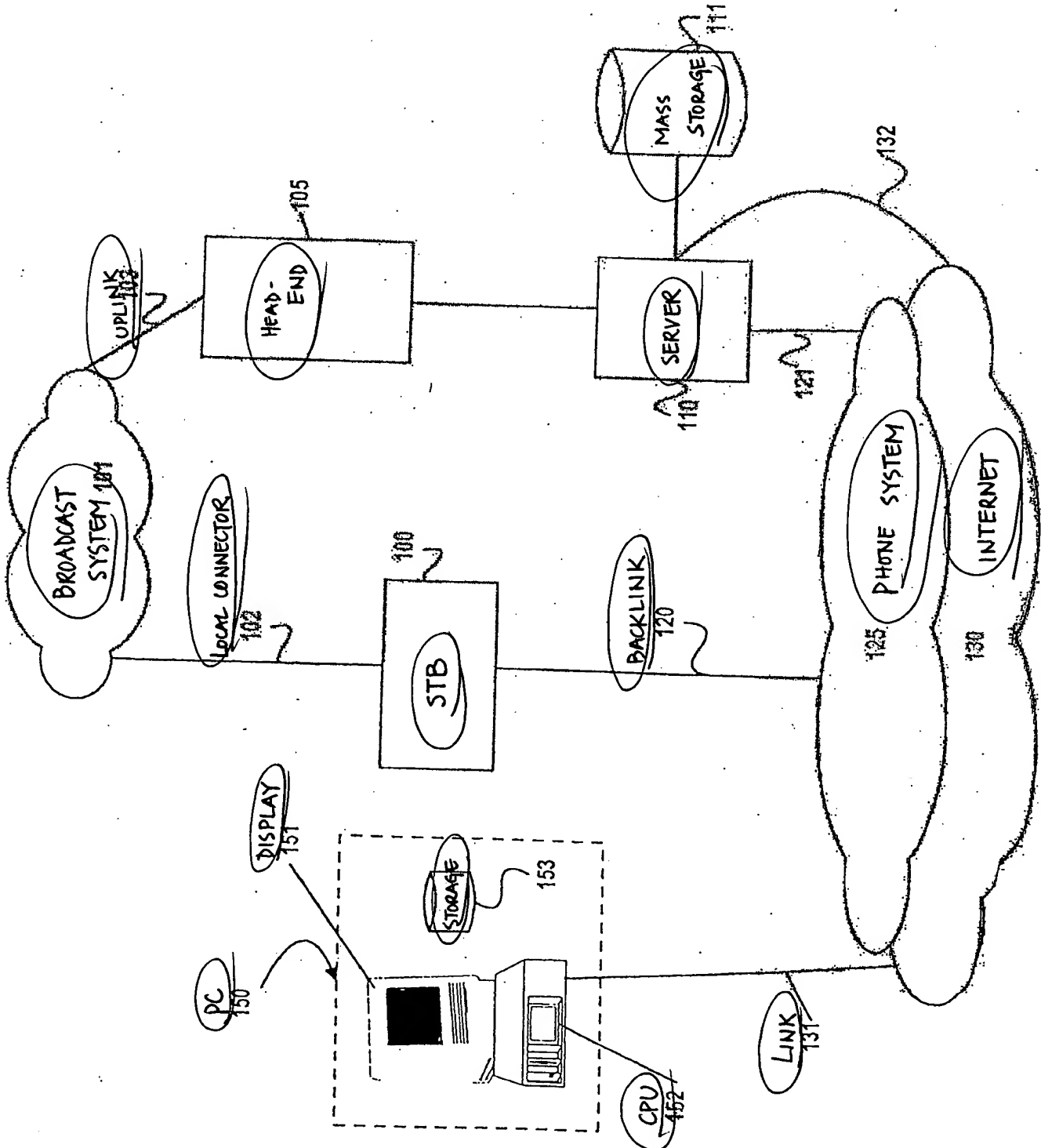


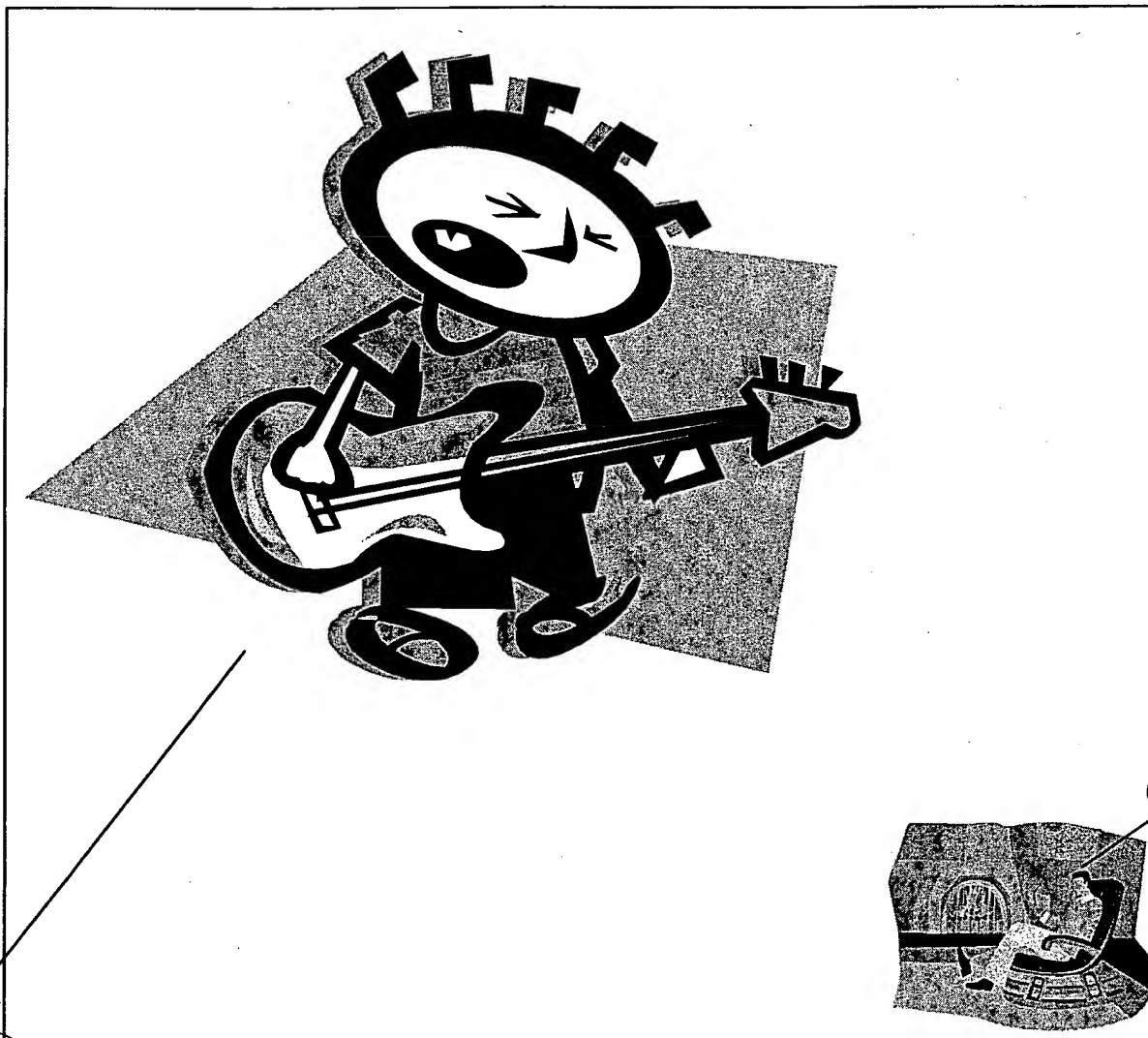
Figure 1



ANNOTATED SHEET

INVENTORS: LEONID GUREVICH et al.
SERIAL No.: 09/733,824

SCREEN 400



Guitarist 401

Hot Area
403

Fig. 4



ANNOTATED SHEET
INVENTORS: LEONID GUREVICH et al.
SERIAL No.: 09/733,824

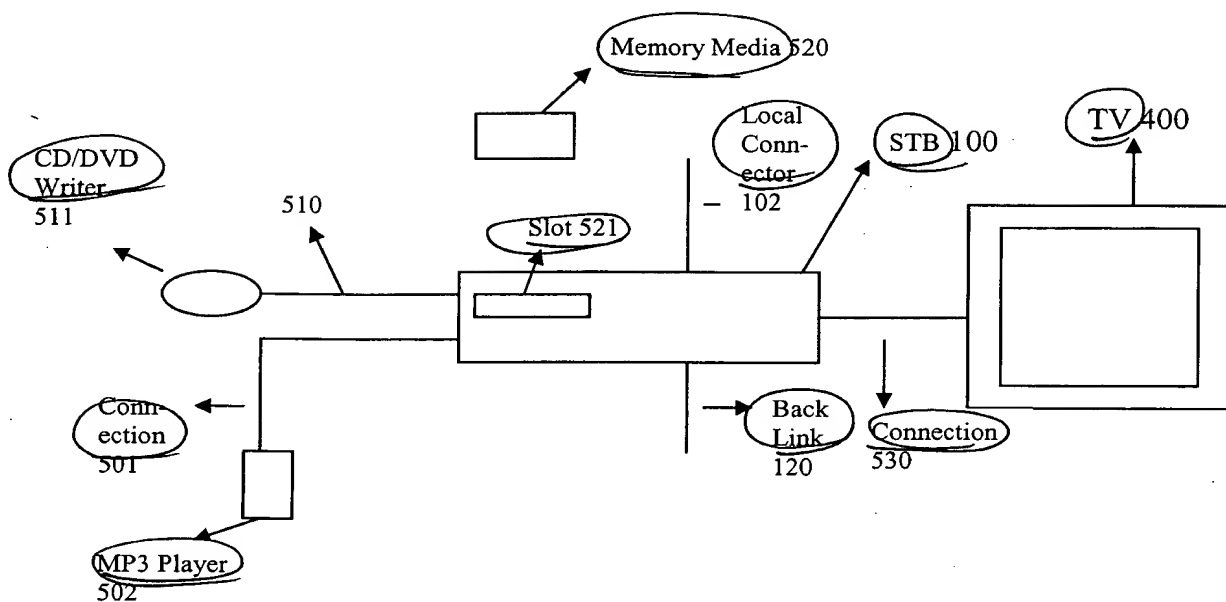


Fig. 5